



MEMORANDUM

March 13, 2013

TO: Planning Commission

FROM: Nicole Walters, Planner *NW*

SUBJECT: Time Extension for Site Plan Application STP2010-00037, 55 Adclare Road

First Baptist Church, located at 55 Adclare Road, was granted approval of Site Plan STP2010-00037 by the Planning Commission letter dated April 18, 2011. This approval allowed for a 34,414 square foot addition to the existing church, including a multipurpose room, new offices, a library, classrooms, a warming kitchen, and restrooms and showers. A total of 66 parking spaces were to be added. This site plan was processed as a major amendment to the Church's original site plan Use Permit USE-547-71, approved by the Planning Commission on November 24, 1971.

Since obtaining Site Plan approval on April 14, 2011, the church has been working on gaining required permits through the Department of Public Works. It was determined during this process that the programmatic elements of the addition needed to be re-evaluated. With a new architect on board it was determined that a reduction in the overall square footage would help reduce the cost.

It is important to note that on January 30, 2013, the church submitted Site Plan Amendment Application (STP2013-00150), to reduce the proposed addition from 34,414 square foot to 24,842 square feet (footprint would be reduced from 21,200 to 18,521 square feet). The number of parking spaces would be reduced from 201 to 168. The church is also requesting "Phasing", consisting of two phases. This application is deemed to be a minor amendment, so the Chief of Planning would be the approval authority.

This request represents the first of two six-month time extensions available to the applicant should the Commission determine that there is good cause shown for the delay. Based on the regulations contained in Section 25.05.08, in determining whether good cause has been shown, the Planning Commission must consider:

1. *The actions taken by the applicant to diligently pursue implementation of the approval*

The applicant has been diligently working with the Department of Public Works on obtaining their permits. A building permit has been applied for and is currently under review.

2. *Whether the approved development complies with all of the current provisions of this chapter and other applicable laws and with the current Plan recommendations, and*

The proposal as proposed complies with all current provisions of the Zoning Ordinance, other applicable laws and the current Plan recommendations.

3. *Such other factors deemed to be relevant*

Should Site Plan Application STP2010-00037 expire on April 18, 2013, a new site plan application would need to be filed and approval given to allow for the reduced footprint, phasing and associated improvements.

Should the Planning Commission determine that good cause has been shown, allowing the extension, the approval period for the Site plan would be extended until April 18, 2014.

Attachments:

1. Time Extension Request
2. Approval Letter, dated April 18, 2011

Attachment 1

Print Form

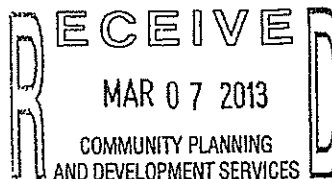


Application for

Time Extension

City of Rockville

Department of Community Planning and Development Services



EXT
2/09

111 Maryland Avenue, Rockville, Maryland 20850

Phone: 240-314-8200 • Fax: 240-314-8210 • E-mail: Cpds@rockvillemd.gov • Web site: www.rockvillemd.gov

Please Print Clearly or Type

Property Address Information 55 Adclare Road, Rockville, MD 20850

Property Name First Baptist Church of Rockville

Project Description Phased Church addition to include space for a multipurpose room, classrooms, music and activity rooms, a warming kitchen, storage, office space, and associated parking.

SUBDIVISION Roxboro Par. "A" Lot (S) _____ Block _____

Zoning R-200 Tax Account (S) 00146066 , _____ , _____

Applicant Information:

Please supply Name, Address, Phone Number and E-mail Address

Applicant First Baptist Church of Rockville c/o Jon Snellings jonsnellings@verizon.net

55 Adclare Road, Rockville, MD 20850 301-279-2400

Property Owner Same as above

Architect Manns Woodward Studios, Inc. c/o Rob Manns rmanns@mwsarch.com

10839-D Philadelphia Road, White Marsh, MD 21162 410-344-1460

Engineer Macris, Hendricks & Glascock, P.A. c/o Toby Wilson twilson@mhgpa.com

9220 Wightman Road, Suite 120, Montgomery Village, MD 20886 301-670-0840

Attorney _____

STAFF USE ONLY

Application Acceptance:

Application # STP2010-00037

Pre-Application _____

Date Accepted _____

Staff Contact _____

OR

Application Intake:

Date Received 3/7/13

Reviewed by _____

Date of Checklist Review _____

Deemed Complete: Yes ☐ No ☐

Attachment 1

ORIGINAL APPLICATION NUMBER STP2010-00037

ORIGINAL APPLICATION APPROVAL DATE 04 / 18 / 2011

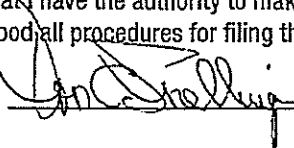
DATE OF ANY PREVIOUS TIME EXTENSIONS GRANTED (IF ANY) _____ / _____ / _____

A TIME EXTENSION IS NECESSARY FOR THE FOLLOWING REASON (S) Minor re-design, pending Site Plan Amendment

A letter of authorization from the owner must be submitted if this application is filed by anyone other than the owner.

I hereby certify that I have the authority to make this application, that the application is complete and correct and that I have read and understood all procedures for filing this application.

Please sign here:



Jon Snellings

301-610-6450 (H) 301-502-1965 (C)

JonSnellings@verizon.net

Application Checklist:

☒ Complete Application

☒ Filing Fee

Comments on Submittal: (For Staff Use Only)



Attachment 1

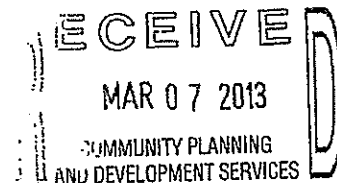


55 Adclare Road
Rockville, MD 20850

PHONE (301) 279-2400
FAX (301) 340-1121
E-MAIL bob@firstbaptistrockville.org
WEB SITE www.firstbaptistrockville.org

March 4, 2013

City of Rockville Planning Commission
City of Rockville
111 Maryland Avenue
Rockville, MD 20850



RE: First Baptist Church of Rockville
STP2010-00037

Dear Members of the Planning Commission:

This letter is to serve as a formal request to extend the validity date of Site Plan STP2010-00037, First Baptist Church of Rockville, pursuant to Section 25.05.08, "Extension of Implementation Period" of the Rockville Zoning Ordinance. We request the extension at a time when the plan is undergoing re-design efforts to better suit the needs of the Church and to reduce cost.

Following Site Plan approval in 2011, we have been working to gain required Stormwater Management, Sediment Control, Storm Drain and Paving, and Forest Conservation plan approvals. Building Permit plans were also submitted for review and approval. However, upon review it was determined that these plans were deficient in many ways. As a result, a new architect has been hired to assist in developing plans that not only meet building code, but also meet the needs of the Church. In working with this architect, Manns Woodward Studios, Inc., the programmatic elements of the addition were re-evaluated. The results of this effort provide for a reduction in the proposed addition's footprint and overall square footage, thereby helping to reduce cost. As part of the re-design, efforts were made to provide a phasing scheme that will allow the addition to be constructed in two phases. This phasing will give financial flexibility to the Church as it moves forward with this costly endeavor.

A Site Plan Amendment application consistent with the re-design and phasing has been developed and submitted to the City for review and approval. The review is currently in process and we are working with Staff to gain said approval. The re-design of engineering drawings and architectural plans is also in process with the intent to formally submit for review and approval as soon as possible.

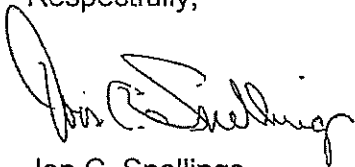
Attachment 1

Page 2
City of Rockville Planning Commission
March 4, 2013

With the pending mid-April expiration of STP2010-00037, we respectfully request an extension of this approval to provide time necessary to complete all plans that support this meaningful and prudent design change. We look forward to obtaining all required permit approvals and breaking ground on a long awaited Church addition.

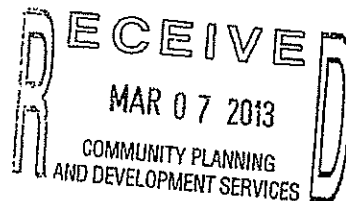
Thank you for your thoughtful consideration of this matter.

Respectfully,



Jon C. Snellings
Chair, Recreation & Outreach Center (ROC) Oversight Team

Cc: Pastor Robert Schmidt
Elder Timothy C. Lee



Attachment 2



City of Rockville
111 Maryland Avenue
Rockville, Maryland
20850-2364
www.rockvillemd.gov

240-314-5000
TTY 240-314-8137

April 18, 2011

First Baptist Church of Rockville
C/o Tim Lee
55 Adclare Road
Rockville, Maryland 20850

Re: Site Plan Application STP2010-00037 for the First Baptist Church of Rockville, Rockville, Maryland 20850

Dear Mr. Lee:

At its April 14, 2011 meeting, the City of Rockville Planning Commission held a public hearing and conditionally approved the subject application. Approval allows for the construction of a 34,414 square foot, two (2) story addition to the west side of the existing building. The Commission also granted a parking deferral to allow three (3) bicycle lockers (3 long term) and two (2) bicycle racks (6 short term) bicycle parking spaces to be installed on the site in lieu of the required amount.

The Planning Commission's decision to approve the request is subject to the applicant's compliance with the following conditions:

1. Submission, for the approval of the Chief of Planning, eleven (11) copies of the site plan.
2. Submission, for the approval of the Chief of Planning, eleven (11) copies of a detailed landscaping plan that is coordinated with the Forest Conservation Plan.
3. Submission, for review and approval by the Department of Public Works (DPW), of the following detailed engineering plans, studies and computations, as well as appropriate checklists and permit applications:
 - a. On-site Stormwater Management (SWM) Plans;
 - b. Sediment Control Plans for all disturbed areas;
 - c. Public Improvement Plans including public storm drain through site.
 - d. All necessary deeds, easements and dedications.
 - e. All detailed engineering plans must be submitted on 24" x 36" sheets at 1" = 30' scale.

MAYOR
Phyllis Marcuccio

COUNCIL
John B. Britton
Piotr Gajewski
Bridget Dunnell Newton
Mark Pierzchala

CITY MANAGER
Scott Ullery

CITY CLERK
Glenda P. Evans

CITY ATTORNEY
Debra Yery Daniel

50

Attachment 2

First Baptist Church of Rockville
C/O Tim Lee
April 18, 2011
Page 2

- f. Obtain permits from DPW for public improvements, stormwater management and sediment control.
 - g. Post financial securities based on the approved construction estimate in a format acceptable to the City Attorney. Approval is coordinated through DPW staff.
 - h. Comply with SWM concept approval letter dated February 2, 2010 and amended SWM concept letter dated October 26, 2010. SWM grandfathering approval was granted as per letter dated October 15, 2010.
 - i. Comply with water and sewer authorization letter dated March 10, 2011.
4. The project will comply with the following applicable sections of the Landscaping, Screening and Lighting Manual: Section 4.d.2 (a) Landscape Strip Adjoining a Street Right-of-Way for the area abutting I-270, Section 4.d.2 (b) Perimeter Landscape Area Adjoining Property Other than a Street Right-of-Way for the parking lot along the southern property line, Section 4.d.2(c) Internal Landscaping of Surface Parking Facility, Section 4.d.2 (d) Minimum Size of Planting Islands within Internal Landscape Area, and Section 4.3(a) Perimeter Landscaping in Residential Zones for the parking lot, loading area and driveway.
5. A Lighting Plan must be approved by the City prior to issuance of the Building permit, demonstrating compliance with Section 5 of the Manual.
6. All internal traffic control devices (i.e. signs, marking and devices placed on, over or adjacent to a roadway or pathway) to regulate, warn or guide pedestrians and/or vehicular traffic shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). The signing and pavement marking plans shall be submitted to DPW and approved by the Chief of Traffic and Transportation. (This plan shall be approved and included with the signature set.)
7. Provide three (3) bicycle lockers (3 long-term spaces) and 2 bicycle racks (6 short-term spaces), per the Planning Commission's approval of the requested bicycle parking space deferral. Note that, per Section 25.16.i.3 of the Zoning Ordinance, any changes in the conditions by which the deferral

Attachment 2

First Baptist Church of Rockville
C/O Tim Lee
April 18, 2011
Page 3

which the deferral was granted will require the deferred spaces to be provided. The required spaces to be provided are five (5) bicycle lockers (10 long term spaces) and 17 bicycle racks (34 short term spaces).

A locked bicycle room with racks or a covered locked cage is required for long-term storage. Short-term spaces are considered to be an inverted "U" bicycle rack and must be spaced four feet apart. These spaces shall be provided at a safe and secure location that is approved by DPW. The location of the short-term spaces shall be approved by DPW at the detailed engineering stage. Bike lockers and racks must be installed prior to issuance of the occupancy permit.

8. Submission, for review and approval of DPW prior to issuance of the DPW permit, a phasing plan for pedestrian access, construction access, staging and parking. The Pedestrian access plan for the construction period shall include, but not be limited to, the methods of maintaining pedestrian safety and access on the existing sidewalks, temporary closing of sidewalks for work in the streetscape zone, and pedestrian detours, as well as efforts to minimize closure of sidewalks.
9. In accordance with the requirements of the Forest and Tree Preservation Ordinance, the applicant shall submit for review and approval a Final Forest Conservation Plan (FCP) and obtain a Forestry Permit (FTP) prior to release of the Building permit and Sediment Control permit.
 - a. The Final FCP shall be based on the Preliminary FCP and provide tree plantings consistent with the Preliminary FCP and Signature Set Landscape Plan.
 - b. The Final FCP will be reviewed concurrently with the detailed engineering drawings that are submitted to the Department Public Works.
10. Comply with the Preliminary Forest Conservation Approval letter dated March 11, 2011.

The Planning Commission's decision was based on the following evidence of record and findings of fact:

Attachment 2

First Baptist Church of Rockville
C/O Tim Lee
April 18, 2011
Page 4

(a) Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development;

The church has been operational at the subject location for over 40 years and has been an established Institutional use within the community. The Church's Wee Center has been operational for over 35 years. Based on the church's current and projected activities, the Planning Commission has found no evidence that the expansion will be detrimental to the neighborhood.

The proposed building addition will provide the church with additional office, educational, community and gym space needed to accommodate the church's many functions as well as accommodate the many programs that are already offered at the church and those activities that were anticipated by the addition such as a youth basketball and soccer program.

The church has and will continue to ensure that vehicular traffic generated during Sunday morning worship is dispersed in a safe and efficient manner by having an off-duty City of Rockville Police officer direct traffic at the intersection of West Montgomery Avenue and Adclare Road.

The proposed building addition will be constructed on the rear of the church, closest to I-270. There is a buffer of mature trees between the building and the homes on Roxboro Road that is approximately 300 feet from the closest point of the proposed addition. There are no homes located within close proximity of this proposed expansion. Based on this information the proposed building addition will not directly adversely affect the health or safety of persons residing or working in the neighborhood.

(b) Be detrimental to the public welfare or injurious to property or improvements in the neighborhood;

The church has been operational at the subject location for well over 40 years. The church's childcare and kindergarten center has been operational for well over 35 years. Based on the various church activities and those anticipated to be generated from the use of the planned new building addition, the Planning Commission has found no evidence the expanded facilities will be detrimental to the neighborhood. While it is anticipated that traffic will increase due to the addition, based on the traffic analysis conducted, the six intersections studied would still operate at

Attachment 2

First Baptist Church of Rockville
C/O Tim Lee
April 18, 2011
Page 5

acceptable levels. Although not part of this application, to further ensure safety during the site's more intensive traffic day (Sundays), the church will utilize an off-duty City of Rockville Police officer to help traffic flow. The Planning Commission finds that the request will not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

(c) Overburden existing and programmed public facilities as set forth in Article 20 of this Chapter and as provided in the adopted Adequate Public Facilities Standards;

There will be no significant impact upon public facilities as a result of this proposal and as such the project will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as indicated in the Adequate Public Facilities Standards. As a result of this project the applicant will be installing a separate water house connection for fire and domestic purposes. Compliance with the Department of Public Works (DPW) Water and Sewer Authorization letter dated March 10, 2011 will further ensure there are no significant impacts as a result of this project.

(d) Adversely affect the natural resources or environment of the City or surrounding areas;

The project proposes to meet all of the requirements of the Forest and Tree Preservation Ordinance on site. As a result, a minimal amount of existing forest will be removed, while forest conservation, minimum tree cover and reforestation requirements will be met. The site plan will not adversely affect the natural resources or environment of the City or surrounding areas.

(e) Be in conflict with the Plan;

As previously stated the Master Plan does not provide a specific recommendation for this property. Such use has existed on the subject site for over 40 years. The Master Plan acknowledges this property for "Institutional" use and as such, the proposal will not be in conflict with the Plan.

Attachment 2

First Baptist Church of Rockville
C/O Tim Lee
April 18, 2011
Page 6

- (f) Constitute a violation of any provision of the Zoning Ordinance or other applicable law;*

The proposed expansion complies with all of the development standards required in the R-200 zone as indicated in Article 10 of the Zoning Ordinance. The Planning Commission has found no evidence that the proposed building expansion and the proposed activities would constitute a violation of any provision of the Zoning Ordinance or applicable law.

- (g) Be incompatible with the surrounding uses or properties.*

This subject site will continue to be used as it has been in the last 40 years, a place of worship having many activities on the site. The expansion will be located in the rear of the yard, which does not directly face any residential properties.

When the original Use Permit for expansion was approved by the Planning Commission on November 3, 2004, the much smaller scaled addition was found to be compatible with the surrounding uses and properties and although the size has increased the addition will continue to be compatible with the surrounding uses and properties. The lot is extensively landscaped and has no homes immediately abutting the property. The Planning Commission found that the proposal would continue to be compatible with the surrounding uses and properties that have existed for quite some time.

Section 25.07.07 of the Zoning Ordinance requires that the construction must commence pursuant to a validly issued building permit within two (2) years of the effective date of the Planning Commission approval. However, the Planning Commission may for good cause shown, grant no more than two (2) extensions of not more than six (6) months each for any prior approval subject to the provisions of Section 25.05.08 "Extension of Implementation Period". The Planning Commission may require as a condition of approval of an extension that the applicant submit periodic progress reports to the Chief of Planning detailing efforts undertaken to implement the site plan approval.

Attachment 2

First Baptist Church of Rockville
C/O Tim Lee
April 18, 2011
Page 7

Sincerely,



R. James Wasilak, AICP
Chief of Planning

/nrw

cc: Planning Commission
Jim Wasilak, Chief of Planning
Bobby Ray, Principal Planner
Matt Shanks, Fire Marshal
Mark Wessel, Civil Engineer
Rebecca Torma, Transportation Planner
Elise Cary, City Forester
Toby Wilson, MHG
Ned Detrick, Rockville Resident and Deacon of the Church

P.S. Please read sign, and return a copy of the acknowledgment statement listed below.

Note: Building permits will be issued only when all reference conditions of approval have been met/satisfied and a copy of the following acknowledgement has been executed by the applicant and returned to the City's Planning Office. Please be advised that the Planning Commission's approval does not constitute approval by any agency or other department having jurisdiction over the planned site development.

I ACKNOWLEDGE RECEIPT OF SITE PLAN STP2010-00037 AND AGREE TO COMPLY FULLY WITH THE CONDITIONS UPON WHICH APPROVAL WAS GRANTED. I FURTHER ACKNOWLEDGE THAT FAILURE TO COMPLY WITH THESE CONDITIONS MAY CAUSE APPROVAL TO BE REVOKED BY THE CHIEF OF PLANNING.

(Applicant's Signature)

(Applicant's Name -- Please Print)